

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DAYTON SUPERIOR CORP.
1125 Byers Road
Miamisburg, Ohio 45342

Plaintiff,

vs.

TODD JONES
2460 Peachtree Road NW, Apt. #712
Atlanta, Georgia 30305

Defendant.

: Case No. 3:15-CV-421

: Judge Thomas M. Rose

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**ORDER GRANTING
MOTION FOR TEMPORARY
RESTRAINING ORDER**

This matter is before the Court upon the Motion of Plaintiff Dayton Superior Corporation (“Dayton Superior”) for Temporary Restraining Order against Defendant Todd Jones (“Jones”). Based upon the Verified Complaint, the Motion for Temporary Restraining Order, and the hearing held on December 3, 2015, this Court finds that Dayton Superior has established a strong likelihood that it will succeed on the merits of its claims; that it will suffer an immediate threat of irreparable harm if Jones is not enjoined; that the detriment to Jones of granting the injunction does not outweigh the potential harm to Dayton Superior if the injunction is not issued; and that the public interest is served by the issuance of injunctive relief. The Court, therefore grants a Temporary Restraining Order as follows:

A. Enter a Temporary Restraining Order immediately enjoining and restraining Jones from directly or indirectly using, disclosing, copying or transmitting Dayton Superior’s confidential or trade secret information for any purpose (including, without limitation, engaging

in competition with Dayton Superior or soliciting Dayton Superior's customers, vendors, consultants, or employees);

B. Enter a Temporary Restraining Order requiring Jones to abide by the terms of the signed Agreement attached as Exhibit A to the Verified Complaint and immediately enjoining and restraining Jones from directly or indirectly engaging in competition with Dayton Superior including enjoining Jones from providing any services to A.L. Patterson and from doing business with or soliciting any current or former Dayton Superior customers, vendors or employees;

C. Require Jones to return to Dayton Superior all originals, copies, or other reproductions in any form whatsoever, of any record or document containing, in whole or in part, any confidential information belonging to Dayton Superior; and

D. Require that Jones preserve, not tamper with or modify in any way the hard drive(s) of his personal computer(s), or any other computer(s) he has used in the last year, and all USB devices and thumb drives that he has used since January 1, 2015, including but not limited to the following devices: JetFlash Transcent 4GB USB Device 15KAO0RHD94BHM7O&0.

DONE and ORDERED in Dayton, Ohio, this Friday, December 4, 2015.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE